



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,409	05/11/2001	Kevin P. Anderson	ISPH-0569	7066
26259	7590	04/01/2004	EXAMINER	
LICATLA & TYRRELL P.C.			GUZO, DAVID	
66 E. MAIN STREET			ART UNIT	
MARLTON, NJ 08053			PAPER NUMBER	
			1636	

DATE MAILED: 04/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SM.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

1

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

- SEE ATTACHMENT -

Attachment

The reply filed on 1/21/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants have neither traversed nor filed a Terminal Disclaimer to overcome the obviousness type double patenting rejection over U.S. Patent 6,423,489. Additionally, applicants have not addressed, in any fashion, the requirement that the assignee or applicants provide a showing that the instant invention and the inventions claimed in U.S. Patents 6,608,191 and 6,423,489 were commonly owned at the time the instant invention was made or to name the prior inventor of the conflicting subject matter (See pages 6-7 of the previous Office Action). As noted on page 7 of the previous Office Action, failure to comply with the aforementioned requirement will result in a holding of abandonment of the application. If applicants have filed a complete response but some or all of the papers have been lost or misplaced by the Office, applicants can resubmit the complete response accompanied by a copy of the stamped post card receipt. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo, Ph.D., whose telephone number is (571)

Art Unit: 1636

272-0767. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Irem Yucel, Ph.D., can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Guzo
March 23, 2004


DAVID GUZO
PRIMARY EXAMINER